

REMARKS

Claims 1-5, 7, 9-13, 15 and 18-20 are pending in this application. By this Amendment, claims 1, 7, 9, 15, and 19 are amended and claims 6, 8, 14, 16 and 17 are canceled.

The Office Action rejects claims 1, 2, 9, 10, 19 and 20 under 35 U.S.C. 102(b) as being allegedly anticipated by U.S. Patent No. 6,207,584 B1 to Shen et al. ("Shen"). The Office Action also rejects claims 3-8 under 35 U.S.C. 103(a) as being allegedly unpatentable over Shen, and claims 11-18 under 35 U.S.C. 103(a) as being allegedly unpatentable over Shen in view of U.S. Patent No. 6,727,537 B2 to Wunderlich.

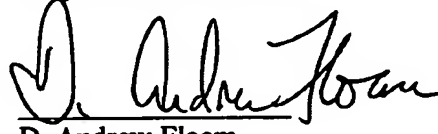
The subject matter of this application is directed to a method for forming a (111) oriented crystalline dielectric layer using at least two steps that involve exposing the substrate to a gas that includes the dielectric material. In particular, it has been found through experimentation that when the temperature range of the gas is at a temperature that is within a narrowed range, between 430 and 460 degrees Celsius, in the first step and the gas is at a temperature that is approximately 640 degrees Celsius in the second step, a substantially (111) oriented film texture is achieved from this process. See paragraphs [0009], [0025], [0030], and [0032]-[0036] of the present application for support for this subject matter now reflected in independent claims 1, 9 and 19.

Neither Shen nor Wunderlich teach or suggest a two step process with the specific temperature parameters now described in the claims for forming a (111) oriented crystalline dielectric layer. For these reasons, it is respectfully submitted that the rejection of the claims should be withdrawn and claims 1-5, 7, 9-13, 15 and 18-20 should be allowed.

U.S. Patent Application Serial No. 10/790,786
Amendment

No extension of time or other fees are believed to be due, except as detailed in the attached documents. However, Applicants hereby petition for any extension of time that may be necessary to maintain the pendency of this application. The Commissioner is hereby authorized to charge payment of any additional fees required for the above-identified application or credit any overpayment to Deposit Account No. 05-0460.

Respectfully submitted,



D. Andrew Floam
Registration No. 34,597

EDELL, SHAPIRO & FINNAN, LLC
1901 Research Boulevard, Suite 400
Rockville, Maryland 20850-3164
(301) 424-3640

Hand Delivered on: December 20, 2005